

TUESDAY, NOVEMBER 16, 1999

EIGHTH LEGISLATIVE DAY

SECOND EXTRAORDINARY SESSION

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Wood.

Representative Wood led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 99

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 99.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 32: Rep(s). Boyer as prime sponsor(s).

MESSAGE FROM THE SENATE
November 16, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 8, 9, 10, 11, 14, 30 and 31; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENROLLED BILLS
November 16, 1999

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 3; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
November 16, 1999

The Speaker signed the following: House Resolution(s) No(s). 3.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS
November 16, 1999

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 30 and 31.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
November 16, 1999

The Speaker signed the following: House Joint Resolution(s) No(s). 30 and 31.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
November 16, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 30 and 31; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
November 16, 1999

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 30 and 31.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
November 16, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 9; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED
November 16, 1999

The Speaker signed the following: Senate Joint Resolution(s) No(s). 9.

MESSAGE FROM THE SENATE
November 16, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 25; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
November 16, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 14; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 14 -- Memorials, Death - Kay Howard of Martin. by *Herron.

MESSAGE FROM THE GOVERNOR
November 16, 1999

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 30 and 31, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for November 17, 1999:

House Joint Resolution No. 35 -- Memorials, Sports - 1999 Oak Ridge High School girls' cross-country squad, TSSAA Class AAA state champion. by *Caldwell, *Ferguson.

House Joint Resolution No. 36 -- Memorials, Public Service - Bishop J. Terry Steib. by *Cooper B, *Bowers, *DeBerry J, *DeBerry L, *Brooks, *Turner (Shelby), *Chumney, *Towns, *Miller L, *Jones U (Shelby).

House Joint Resolution No. 37 -- Memorials, Personal Achievement - Corey Mace Albers, Eagle Scout. by *Baird.

House Joint Resolution No. 38 -- Memorials, Personal Achievement - James Brandon Elkins, Eagle Scout. by *Baird.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for November 17, 1999:

Senate Joint Resolution No. 14 -- Memorials, Death - Kay Howard of Martin. by *Herron.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 37** -- Taxes, Tobacco, Tobacco Products -- House Agriculture Committee

***House Bill No. 38** -- Taxes, Alcoholic Beverages -- House State and Local Government Committee

***House Bill No. 39** -- Taxes, Alcoholic Beverages - House State and Local Government Committee

***House Bill No. 40** -- Taxes, Tobacco, Tobacco Products - House Agriculture Committee

***House Bill No. 41** -- Taxes, Tobacco, Tobacco Products - House Agriculture Committee

CONSENT CALENDAR

House Resolution No. 4 -- Memorials, Death - Edward Tye Harber. by *Goins.

House Resolution No. 5 -- Memorials, Personal Achievement - Bryan Lee James, Eagle Scout. by *Pleasant.

House Joint Resolution No. 28 -- Memorials, Death - Frank Ralph Gallimore, Puryear Mayor and former Henry County Superintendent of Schools. by *Ridgeway.

House Joint Resolution No. 29 -- Memorials, Recognition - Curley Putman. by *Bone.

House Joint Resolution No. 32 -- Memorials, Professional Achievement - Citizens Bank & Trust Company of Grainger County, 80th Anniversary. by *Roach.

House Joint Resolution No. 33 -- Memorials, Sports - Beech High School cheerleading squad, TSSAA Small Co-Ed Division state champions. by *McDonald, *Black.

Senate Joint Resolution No. 9 -- Memorials, Death - Virginia Weldon. by *Herron.

Rep. Pleasant moved that all members voting aye on House Resolution No. 5 be added as sponsors, which motion prevailed.

Rep. Bone moved that all members voting aye on House Joint Resolution No. 29 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Miller moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 99
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Hargrove moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 34 out of order, which motion prevailed.

House Joint Resolution No. 34 -- Memorials, Professional Achievement - Speaker Pro Tempore Lois DeBerry, inductee into the 1999-2000 Memphis City Schools Alumni Hall of Fame. by *Naifeh.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hargrove, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes..... 99
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

ENROLLED BILLS
November 16, 1999

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25; also, House Resolution(s) No(s). 4 and 5.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
November 16, 1999

The Speaker signed the following: House Joint Resolution(s) No(s). 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25; also, House Resolution(s) No(s). 4 and 5.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
November 16, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 25; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS
November 16, 1999

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 28, 29, 32, 33 and 34.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 99

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

RECESS MOTION

On motion of Rep. Hargrove, the House stood in recess until 9:00 a.m., Wednesday, November 17, 1999.